

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EUGENE OKECHUKWU AGINA,)	
)	
Petitioner)	
)	Civil Action No.
v.)	05cv11234-NMG
)	
MICHAEL CHERTOFF, SECRETARY)	
OF DEPARTMENT OF HOMELAND)	
SECURITY, ET AL.)	
)	
Respondents ¹)	

RESPONDENT'S NOTICE OF INTENT TO EXECUTE REMOVAL ORDER

Respondent hereby informs the Court of its intention to execute the final order of removal against petitioner **on September 13, 2005**. See Attachment A, Declaration of Chief Immigration Enforcement Agent James Brown.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/Frank Crowley
FRANK CROWLEY
Special Assistant U.S. Attorney
Department of Homeland Security
P.O. Box 8728
J.F.K. Station
Boston, MA 02114
(617) 565-2415

¹ The responsive official of the Department of Homeland Security responsible for enforcement of petitioner's removal order in the instant action is Bruce Chadbourne, Field Office Director for Detention and Removal, Department of Homeland Security, Bureau of Immigration and Customs Enforcement ("ICE") in Boston, Massachusetts. See 28 U.S.C. § 517 (providing for the appearance of the Department of Justice "to attend to the interests of the United States in a suit pending in a court of the United States").

CERTIFICATE OF SERVICE

I hereby certify that I caused true copy of the above document to be served upon pro se petitioner by mail on September 7, 2005.

s/Frank Crowley

FRANK CROWLEY

Special Assistant U.S. Attorney

Department of Homeland Security

P.O. Box 8728

J.F.K. Station

Boston, MA 02114

ATTACHMENT A

**DECLARATION OF CHIEF IMMIGRATION
ENFORCEMENT AGENT JAMES BROWN**

Pursuant to the authority of 28 U.S.C. § 1746, I, JAMES BROWN, Chief Immigration Enforcement Agent at the Boston, Massachusetts, office of the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security ("ICE"), declare as follows:

1. I am the Chief Immigration Enforcement Agent at the Boston, Massachusetts, office of the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security ("ICE").

2. Included in my official duties as a Chief Immigration Enforcement Agent is the responsibility for supervising and monitoring the execution of orders of removal and deportation. This responsibility relates to the process of confirming the existence of the necessary authorizations, or "travel documents", issued by foreign governments for the return of removable aliens to their respective home countries, and to the process of confirming the scheduling of the execution of removal orders by aircraft.

3. As a Chief Immigration Enforcement Agent in Boston, I am familiar with the process for travel document issuance by the various foreign governments, and with the day to day mechanisms of scheduling execution of and executing removal orders.

4. At the request of Special Assistant United States Attorney Frank Crowley, I have examined the administrative records available to me of efforts to enforce the final administrative removal order in the case of EUGENE OKECHUKWU AGINA, Administrative File No. A29 296 454. Upon review of the records available to me as a Chief Immigration Enforcement Agent, I confirm that EUGENE OKECHUKWU AGINA has now been scheduled for removal from the United States on **September 13, 2005**, under escort at the request of the Nigerian Embassy.

I declare, under penalty of perjury that the foregoing is true and correct.

Executed on:

9/7/05

Date

Signature

JAMES BROWN
Chief Immigration
Enforcement Agent
U.S. Dept. Homeland Security
Bureau of Immigration & Customs
Enforcement
Boston, Massachusetts